

State of Arizona
House of Representatives
Forty-eighth Legislature
Second Regular Session
2008

HOUSE BILL 2620

AN ACT

AMENDING TITLE 41, CHAPTER 10, ARTICLE 1, ARIZONA REVISED STATUTES, BY ADDING SECTION 41-1515.01; RELATING TO THE ARIZONA BIOFUELS CONVERSION PROGRAM.

(TEXT OF BILL BEGINS ON NEXT PAGE)

1 Be it enacted by the Legislature of the State of Arizona:

2 Section 1. Title 41, chapter 10, article 1, Arizona Revised Statutes,
3 is amended by adding section 41-1515.01, to read:

4 **41-1515.01. Arizona biofuels conversion program: fund; program
5 termination: definitions**

6 A. THE ARIZONA BIOFUELS CONVERSION PROGRAM IS ESTABLISHED IN THE
7 DEPARTMENT TO ENCOURAGE THE USE OF BIOFUELS.

8 B. THE ARIZONA BIOFUELS CONVERSION PROGRAM FUND IS ESTABLISHED
9 CONSISTING OF THE FOLLOWING:

10 1. MONIES APPROPRIATED BY THE LEGISLATURE.

11 2. MONIES RECEIVED THROUGH GIFTS, GRANTS, DONATIONS OR OTHER STATE AND
12 UNITED STATES GOVERNMENT OR PRIVATE SOURCES.

13 C. ON OR BEFORE JANUARY 1, 2009, THE DIRECTOR SHALL DEVELOP A
14 PROCEDURE FOR AWARDING GRANTS FROM THE FUND TO PROVIDE FOR CONVERSION OF
15 EXISTING AND INSTALLATION OF NEW STORAGE AND DISPENSING EQUIPMENT FOR
16 BIOFUELS AT MOTOR FUEL DISPENSING SITES BASED ON TRAFFIC PATTERNS, THE
17 PROXIMITY TO OTHER BIOFUEL DISPENSING SITES, FLEET INVOLVEMENT, THE
18 POPULATION OF VEHICLES THAT USE BIOFUELS AND THE COSTS OF THE PROJECT.

19 D. THE DIRECTOR OF THE DEPARTMENT'S ENERGY OFFICE SHALL ADMINISTER THE
20 PROGRAM AND THE FUND.

21 E. SUBJECT TO THE AVAILABILITY OF MONIES IN THE FUND, THE DIRECTOR
22 SHALL AWARD GRANTS EQUAL TO THE LESSER OF THIRTY THOUSAND DOLLARS OR FORTY
23 PER CENT OF THE CONVERSION COST PER SITE TO APPLICANTS WHO PROVIDE AN
24 ACCEPTABLE PROJECT PLAN THAT INCLUDES A DETAILED COST SCHEDULE AND TIMELINE
25 FOR THE COMPLETION OF THE PROJECT.

26 F. MONIES IN THE FUND:

27 1. SHALL BE SPENT ONLY FOR THE PURPOSES PRESCRIBED IN THIS SECTION,
28 EXCEPT THAT THE ENERGY OFFICE MAY USE UP TO FIVE PER CENT OF THE MONIES IN
29 THE FUND EACH YEAR TO ADMINISTER THE PROGRAM.

30 2. ARE CONTINUOUSLY APPROPRIATED.

31 3. ARE EXEMPT FROM THE PROVISIONS OF SECTION 35-190 RELATING TO
32 LAPSING OF APPROPRIATIONS.

33 G. THE PROGRAM ESTABLISHED BY THIS SECTION ENDS ON JULY 1, 2013
34 PURSUANT TO SECTION 41-3102.

35 H. FOR THE PURPOSES OF THIS SECTION:

36 1. "BIOFUEL" MEANS A SOLID, LIQUID OR GASEOUS FUEL THAT IS DERIVED
37 FROM BIOMASS AND THAT CAN BE USED DIRECTLY FOR HEATING OR POWER OR AS A MOTOR
38 FUEL.

39 2. "BIOMASS" MEANS BIOLOGICAL MATERIAL, SUCH AS PLANT OR ANIMAL
40 MATTER, EXCLUDING ORGANIC MATERIAL THAT HAS BEEN TRANSFORMED BY GEOLOGICAL
41 PROCESSES INTO SUBSTANCES SUCH AS COAL OR PETROLEUM OR DERIVATIVES THEREOF
42 WHICH MAY BE TRANSFORMED INTO BIOFUEL.